

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF PENNSYLVANIA

GEORGE DUNN,  
  
Plaintiff,

vs.

AMERICAN NATIONAL PROPERTY  
AND CASUALTY COMPANY; ANPAC;  
AMERICAN NATIONAL INSURANCE  
COMPANY; ANICO;

Defendants.

Civil Action  
No.:

**NOTICE OF REMOVAL**

Filed on Behalf of Defendants

Counsel of Record for  
This Party:

Joseph A. Hudock, Jr.  
PA I.D. #66064  
[jhudock@summersmcdonnell.com](mailto:jhudock@summersmcdonnell.com)

SUMMERS, McDONNELL,  
HUDOCK, GUTHRIE & SKEEL, P.C.  
Firm #911

The Gulf Tower, Suite 2400  
707 Grant Street  
Pittsburgh, PA 15219

(412) 261-3232

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WESTERN DISTRICT OF PENNSYLVANIA

GEORGE DUNN,	)	Civil Action
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	)	
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AND CASUALTY COMPANY; ANPAC;	)	
AMERICAN NATIONAL INSURANCE	)	
COMPANY; ANICO;	)	
	)	
Defendants.	)	

**NOTICE OF REMOVAL**

AND NOW, come the Defendants, American National Property and Casualty Company, ANPAC, American National Insurance Company and ANICO, by and through their attorneys, Summers, McDonnell, Hudock, Guthrie & Skeel, and Joseph A. Hudock, Jr., and file this Notice of Removal of Civil Action from the Court of Common Pleas of Westmoreland County, Pennsylvania, and in support thereof aver as follows:

1. On or about December 18, 2009, the Plaintiff, George Dunn, (hereinafter "Plaintiff") commenced this action in the Court of Common Pleas of Westmoreland County, Pennsylvania by filing a Writ of Summons against American National Property and Casualty Company, ANPAC, American National Insurance Company and ANICO

(hereinafter "defendants") at Docket No. 09 CI 11373. (A true and correct copy of the Writ of Summons is attached hereto as Defendant's Exhibit "A".)

2. The concise statement of the facts which entitles Defendant to remove this action filed in the Court of Common Pleas of Westmoreland County, Pennsylvania are:

- (a) Plaintiff was a citizen of Pennsylvania at the time of the initiation of this action and, upon information and belief, continues to maintain citizenship in Pennsylvania;
- (b) Defendant is a corporation that is organized and incorporated under the laws of the State of Missouri, with its principal place of business in Springfield, Missouri. Defendant was a citizen of Missouri at the time of the initiation of this action and continues to maintain citizenship in Missouri;
- (c) it is Defendants' good faith belief that the amount in controversy exceeds \$75,000.00 exclusive of interest and costs; and
- (d) this Court has original jurisdiction of the above-titled action pursuant to 28 U.S.C. §1332 and the action may therefore be removed to this court pursuant to 28 U.S.C. §1441(a).

3. This Notice of Removal is filed within 30 days of receipt of plaintiff's Writ of Summons against American National Property and Casualty Company, ANPAC, and American National Insurance Company and is, therefore, timely filed under 28 U.S.C. 1446(b).

4. Insofar as there are claims where complete diversity is involved wherein the matter in controversy exceeds the statutorily set limit of \$75,000.00 and this Notice of Removal was timely filed, Defendant respectfully requests that this Honorable Court remove the civil action of Plaintiff to the Federal District Court for the Western District of Pennsylvania.

WHEREFORE, Defendants, American National Property and Casualty Company, ANPAC, American National Insurance Company and ANICO, respectfully request that

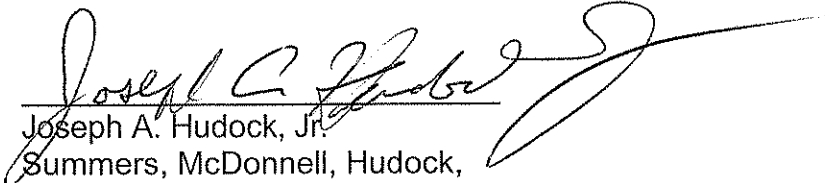
this action be removed from the Court of Common Pleas of Westmoreland County, Pennsylvania, to this Honorable Court.

**JURY TRIAL DEMANDED**

Respectfully submitted,

**SUMMERS, McDONNELL, HUDOCK, GUTHRIE & SKEEL, P.C.**

By:



Joseph A. Hudock, Jr.  
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Guthrie & Skeel, P.C.  
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Counsel for Defendants

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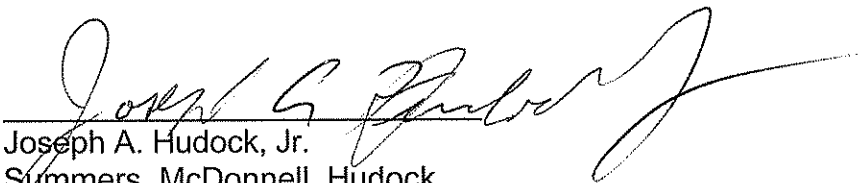
**CERTIFICATE**

I HEREBY CERTIFY that a Notice of Filing of the **Notice of Removal**, together with a true and correct copy of the **Notice** itself, was served on the 18th day of January, 2010, via first-class mail, postage pre-paid, with the Office of the Prothonotary of the Court of Common Pleas of Westmoreland County, Pennsylvania and that a true and correct copy of said Notice was duly served on all counsel of record via first-class mail, postage pre-paid to the following:

Ned J. Nakles, Jr., Esquire  
Nakles and Nakles  
1714 Lincoln Avenue  
Latrobe, PA 15650

**SUMMERS, McDONNELL, HUDOCK, GUTHRIE & SKEEL, P.C.**

By:

  
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